IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO.188 OF 2005

In

WRIT PETITION NO.9583 OF 2004

Shrikumar Co-operative Housing Society
Ltd. & Anr. : Petitioners

V/s.

Mr.A.A.Khan & Ors. : Respondents

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WITH

CIVIL APPLICATION NOS.65/2006, 66/2006, 67/2006, 68/2006, 104/2007, 105/2007 AND 106/2007 IN CONTEMPT PETITION NO.188/2005.

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Mr.Mohan Pungaliya for the petitioners.

Mr. Ghadge i/b. Mr.A.S.Desai for respondent nos.1 to 10.

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CORAM : S.A.BOBDE, J.

DATE : AUGUST 07, 2007.

P.C.

1. After hearing the matter for sometime, the following order is passed by consent.

O R D E R

(i) The learned counsel for the respondent nos.1 to 10, states, upon instructions from the respondents, most of whom are present in Court, that the respondents have no objection whatsoever for carrying out repairs by the society in relation to the flats in 'C' bldg. occupied by them. They further state that the they will not obstruct the society in carrying out any repairs.

(ii) Mr.Pungaliya, the learned counsel for the petitioners, states on the basis of the communication dated 20.4.2006 that the B.M.C. has authorised the society to carry out the repairs and further that they shall comply with any other requirements which the B.M.C. may impose.

(iii) In the circumstances, there is no reason to proceed with the Contempt Petition. The petitioner-society shall be at liberty to recover any charges due from its members, in accordance with law.

(iv) The Contempt Petition stands disposed of.

2. In view of the disposal of the Contempt Petition, the above mentioned Civil Applications do not survive and the same stand disposed of.

S.A. BOBDE, J.